IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

| DU PAGE UPHOLSTERY, INC., and |) |
|--------------------------------|-------------------------|
| JOSEPH RAMOS d/b/a DU PAGE |) |
| UPHOLSTERY, as individuals and |) |
| on behalf of a class, |) |
| |) 08 C 165 |
| Plaintiffs, |) |
| |) Judge Gettleman |
| ν. |) Magistrate Judge Cole |
| SMART MORTGAGE CENTERS, INC., |)) |
| and JOHN DOES 1-10, |) |
| Defendants. | ,) |

STIPULATION OF DISMISSAL

Pursuant to Fed. R. Civ. P. 41(a)(1)(ii), Plaintiffs DuPage Upholstery, Inc. and Joseph Ramos d/b/a DuPage Upholstery, and Defendant Smart Mortgage Centers, Inc. hereby stipulate and agree to the dismissal of Plaintiffs' individual claims against Defendant Smart Mortgage Centers, Inc. with prejudice, and with each party bearing its own costs. Plaintiffs' class claims are dismissed without prejudice and with each party bearing its own costs.

s/ Heather A. Kolbus Daniel A. Edelman Heather Kolbus EDELMAN, COMBS, LATTURNER & GOODWIN, LLC 120 S. LaSalle Street, 18th Floor Chicago, IL 60603 (312) 739-4200 (312) 419-0379 (FAX) Attorneys for Plaintiffs

Daviel M. Nelson **NELSON LAW OFFICES, F.C.** 129 W. Willow Avenue Wheaton, IL (630) 668-3131 (630) 668-8295 (FAX) Attorney for Defendant